

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Andrew S. Van Luchene

Serial No.: Not Yet Assigned

Filing Date: Herewith

For: METHOD AND APPARATUS FOR
CONTROLLING OFFERS THAT ARE
PROVIDED AT A POINT-OF-SALE
TERMINAL

) Examiner: Not Yet Assigned

) Group Art Unit: Not Yet Assigned

) Attorney Docket No: 97-564X

) Customer No.: 22927



Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. ☒ In addition to the citations listed on the enclosed Form PTO-1449, applicants respectfully direct the Examiner's attention to the following U.S. patent applications, which are commonly assigned to the assignee of the instant application, and which may be deemed pertinent to the instant application:

<u>Serial No.</u>	<u>Inventors</u>	<u>Filing Date</u>	<u>Group Art Unit</u>	<u>Examiner's Init.</u>
08/946508	Walker et al.	10/7/97	2761	
09/083689	Walker et al.	5/21/98	2761	
09/076409	Walker et al.	5/21/98	2761	
09/083483	Walker et al.	5/22/98	2761	
09/085424	Walker et al.	5/27/98	1773	
09/107971	Walker et al.	6/30/98	3642	

The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application.

These applications have not been listed on the accompanying Form PTO-1449 in order to preserve their secrecy during the course of their prosecution.

2. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____
3. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____
4. ☒ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☒ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

- ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.
- ☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.
5. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.
7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;

☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.

☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.

9. ☐ I hereby certify:

☐ that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.

☐ that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. ☐ Please accept payment of the fees due as indicated below:

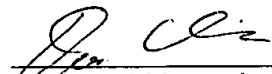
- ☐ A check in the amount of \$240.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).
- ☐ The Commissioner is hereby authorized to charge \$240.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p). A duplicate copy of this sheet is attached for such purpose
- ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).
- ☐ The Commissioner is authorized to charge \$130.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(i)(1). A duplicate copy of this sheet is attached.

11. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

12. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.

Respectfully submitted,

February 6, 2001
Date



Dean P. Alderucci
Attorney for Applicants
Registration No. 40,484
alderucci@WalkerDigital.com
Walker Digital Corporation
Five High Ridge Park
Stamford, CT 06905
(203) 461-7337/phone
(203) 595-8266/fax

METHOD AND APPARATUS FOR CONTROLLING OFFERS THAT ARE
PROVIDED AT A POINT-OF-SALE TERMINAL

COPY

The present application is a continuation-in-part application of co-pending Patent
5 Application No. 08/920,116, entitled METHOD AND SYSTEM FOR PROCESSING
SUPPLEMENTARY PRODUCT SALES AT A POINT-OF-SALE TERMINAL, filed on
August 26, 1997, which is a continuation-in-part of co-pending Patent Application No.
08/822,709, entitled SYSTEM AND METHOD FOR PERFORMING LOTTERY TICKET
TRANSACTIONS UTILIZING POINT-OF-SALE TERMINALS, filed on March 21, 1997; each
10 of which are incorporated herein by reference.

11046 U.S. PRO
09/777297
02/07/01

CROSS REFERENCE TO CO-PENDING APPLICATIONS

The present invention is related to the following United States Patent Applications filed
contemporaneously herewith:

15 U.S. Patent Application Ser. No. 09/005,386, entitled METHOD AND APPARATUS
FOR FACILITATING THE PLAY OF FRACTIONAL LOTTERY TICKETS UTILIZING
POINT-OF-SALE TERMINALS (Attorney Docket No. WD2-97-558), U.S. Patent Application
Ser. No. 09/005,518, entitled METHOD AND APPARATUS FOR PROCESSING A
SUPPLEMENTARY PRODUCT AT A POINT-OF-SALE TERMINAL (Attorney Docket No.
20 WD2-97-561), U.S. Patent Application Ser. No. 09/005,386, entitled METHOD AND
APPARATUS FOR CONTROLLING THE PERFORMANCE OF A SUPPLEMENTARY
PROCESS AT A POINT-OF-SALE TERMINAL (Attorney Docket No. WD2-97-557), and U.S.
Patent Application Ser. No. 09/005,344, entitled METHOD AND APPARATUS FOR

INFORMATION DISCLOSURE ACTION (Use several sheets if necessary)	ATTY DOCKET NO. 97-564X	SERIAL NO. Not Yet Assigned
	APPLICANT(S) Andrew S. VAN LUCHENE	
	FILING DATE February 6, 2001	GROUP Not Yet Assigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
A	4,723,212	2/2/88	Thomas Mindrum et al.			
B	4,908,761	3/13/90	Roland Tai			
C	4,973,952	11/27/90	John Malec et al.			
D	5,128,862	7/7/92	Raymond J. Mueller			
E	5,132,914	7/21/92	Robert L. Cahlander et al.			
F	5,172,328	12/15/92	Robert L. Cahlander et al.			
G	5,173,851	12/22/92	George W. Off et al.			
H	5,192,854	3/9/93	Reginald D. Counts			
I	5,201,010	4/6/93	David W. Deaton et al.			
J	5,245,533	9/14/93	Robert Marshall			
K	5,302,811	4/12/94	Kunti Fukatsu			

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 09/777297
 02/07/01

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO
L	EP 512413	11/11/92	Europe (Abstract)			
M	JP 5242363	9/21/93	Japan (Abstract)			
N	WO 9735441	9/25/97	PCT (Abstract)			
O	WO 97/50064	12/31/97	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	P	Louise Cook, "Consumer Watch: Clip, Snip, Save", The Associated Press, March 12, 1984, Monday PM Cycle.
	Q	"Coupons Get Serious; Supermarkets Use Barcodes to Prevent Misredemptions", Chain Store Age Executive with Shopping Center Age, October, 1992, Volume 68; No. 10; at p. 68; ISSN: 0193-1199.

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE C ITATION

(Use several sheets if necessary)

ATTY DOCKET NO.

97-564X

SERIAL NO.

Not Yet Assigned

APPLICANT(S)

Andrew S. VAN LUCHENE

FILING DATE

February 6, 2001

GROUP

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	R	5,353,218	10/4/94	James P. DeLapa et al.			
	S	5,353,219	10/4/94	Raymond J. Mueller et al.			
	T	5,380,991	1/10/95	Luis Valencia et al.			
	U	Re. 34,915	4/25/95	Steven Nichtberger et al.			
	V	5,481,094	1/2/96	Hiroshi Suda			
	W	5,510,979	4/23/96	Martin J. Moderi et al.			
	X	5,581,064	12/3/96	Roger K. Riley et al.			
	Y	5,602,377	2/11/97	William E. Beller et al.			
	Z	5,612,868	3/18/97	George W. Off et al.			
	AA	5,620,079	4/15/97	Jens H. Molbak			
	BB	5,621,640	4/15/97	Bertram V. Burke			

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02/07/01

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		CC	Joseph Bonnici, David P. Campbell, William B. Fredenberger, Kathryn H. Hunnicutt; "Consumer Issues in Coupon Usage; An Exploratory Analysis", Journal of Applied Business Research, Winter 1996/1997, Vol. 13, No. 1 at p. 31-40; ISSN: 0892-7626.
		DD	Jim Kirk, "Digital Promotions Make Quick Point - McDonald's Testing New Technology on its Menus", Chicago Tribune, December 26, 1997 at p. 1-2.

EXAMINER

DATE CONSIDERED

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INFORMATION DISCLOSURE CITATION
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ATTY DOCKET NO.

97-564X

SERIAL NO.

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APPLICANT(S)

Andrew S. VAN LUCHENE

FILING DATE

February 6, 2001

GROUP

Not Yet Assigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
EE		5,665,953	9/9/97	Anthony Mazzamuto et al.			
FF		5,724,886	3/10/98	Henry T. Ewald et al.			

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 09/777297
 02/07/01

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		GG	"Progressive Introduces Kitchen Display System (KDS) for Restaurants", PR Newswire, January 23, 1998, Financial News Section.
		HH	Adam Blair, "JICC Coupon Guide Recommends Upgrades at Front End", Supermarket News, February 9, 1998, at p. 23; ISSN: 0039-5803.

EXAMINER

DATE CONSIDERED

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INFORMATION DISCLOSURE CITATION*(Use several sheets if necessary)*

Docket Number (Optional)

97-564X

Application Number

Not Yet Assigned

Applicant(s)

Andrew S. LUCHENE

Filing Date

February 6, 2001

Group Art Unit

Not Yet Assigned

EXAMINER INITIAL	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
II	"From Our Family To Yours... 5 Weeks of Coupon Values for a Variable Customer", Wakefern Food Corporation, February 1998.
JJ	"U.P.C. Coupon Code Guidelines Manual - Section...", Uniform Code Council, Inc.; (uc-council.org/d31-3.htm) download date: March 12, 1998
KK	"Advanced Mechanics Internet Specials", Advanced Mechanics, (metroplexweb.com/advcpn2.htm), download date: March 12, 1998.
LL	Mark Hamstra, "'Made-for -you' maneuvers signal competitive shift in QSR category", Nations Restaurant News, April 13, 1998, 3 pgs.
MM	"New Wave Marketing", Promotion Times an SCA Quarterly Newsletter, April 1998.
NN	Universal Holding Cabinet Rollout Program Brochure, H&K Dallas Inc., Winter 1998.
OO	NCR 7453 PC-Based Point-of-Sale Solution Brochure, NCR, Winter 1998.
PP	"P OSitive Input; The McDonald's POS-3 System Newsletter from Olivetti Solutions", McDonald's, Spring /Summer Edition 1998, 8 pgs.
QQ	"It's In The Bag. Introducing the Universal Holding Cabinet From Welbilt ", Frymaster, 1998 brochure.
RR	"Introducing the Digital MenuBoard", Siren Technologies, brochure.
SS	"For the Crew & the Customer - The Best Drive-Thru & Grill Service", Olivetti, brochure.
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